



Lamoine Board of Selectmen

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Draft

Minutes of October 18, 2012

Chair Jo Cooper called the meeting to order at 7:00 PM

Present were: Selectmen S. Josephine Cooper, Richard Fennelly Jr., Gary McFarland; Administrative Assistant Stu Marckoon, RSU 24 Representative Brett Jones, Christopher Norris and Kendall Davis. Selectman Cynthia Donaldson had informed the board that she was unable to attend.

Agenda Review – Stu suggested moving the budget workshop to after the executive session.

Minutes of October 4, 2012 – Stu reported that Cynthia had submitted a couple of minor corrections which were incorporated into the online version. Jo moved to approve the minutes as corrected. Gary 2nd. **Vote in favor was 3-0.**

Expenditure Warrant 8 – Selectmen signed the warrant in the amount of \$208,291.33. Stu noted the big bills were the RSU payment and the fire station boiler.

Cash & Budget Report – Richard asked if money from surplus could be moved into the capital improvements fund. Stu said the town meeting would have to do that, but it's not a terrible idea. Richard noted how useful the capital improvement fund has been over the years.

Planning Calendars – Selectmen had no objection to purchase of 2013 planning calendars for volunteer board members.

Public Hearing – Automobile Graveyards – Jo opened the hearing on the auto graveyards operated by Pro Auto at Map 5 Lot 2 (Marlboro) and Map 20 Lot 20 (North Lamoine) at 7:05 PM.

Stu reported that Christopher Norris has submitted updated drawings as requested by the Code Enforcement Officer. Mr. Norris said the words automobile graveyard are not quite accurate as the vehicle bodies are recycled on a regular basis. Jo asked if anything had changed at the facilities. Mr. Norris said there has been no change in 30-years, but they have made more of an effort to keep the yards neat and clean. He said the neighbors of the Marlboro yard had cut trees up to the property line, and he has planted more trees to block the view of the yard. Gary said it appeared Mr. Norris has gone above and beyond what is expected, and he appears to have reconfigured the yard in North Lamoine and it looks good.

There being no further testimony, the hearing closed at 7:08 PM

Jo moved to renew the automobile graveyard permits for Pro Auto Center (Map 5 Lot 2, Map 20 Lot 20). Gary 2nd. **Vote in favor was 3-0. Selectmen signed the permits.**

General Assistance Ordinance – Public Hearing – Jo opened the hearing at 7:10 PM and asked what the proposed changes are. Stu said it's the annual update of poverty figures for the minimum and maximum qualification levels. The hearing closed at 7:11 PM. Jo moved to adopt the updated General Assistance Ordinance. Richard 2nd. **Vote in favor was 3-0.**

Frenchman Bay Partnership – Jo noted this was the group that made the presentation at the previous meeting. She said they would like the town to be a partner with them. She said it's a group of importance to Shellfishing. She moved to become a partner, Richard 2nd. **Vote in favor was 3-0.**

Stu reported that Diane Nicholls has offered to be the town's liaison with the Frenchman Bay Partners. Jo moved to appoint Ms. Nicholls to that position. Richard 2nd. **Vote in favor was 3-0.**

RSU 24 Withdrawal Update – Gary reported the withdrawal committee met with the Superintendent and Business Manager to get financial information. Brett Jones said it was an informational session only. Gary said it was fairly productive, and another meeting is set for October 22nd with all three communities that have voted to start the withdrawal process. He said there are five sticking points common to all three towns that will be discussed.

Gary reported the Commissioner of Education granted a 90-day extension for the groups to come up with an agreement. He said that will allow the town to get a better idea of the costs if it should leave the RSU, and join an AOS. He said the committee should know more by Monday.

Mr. Jones said they should have up to date cost figures, but the withdrawal, if approved, is unlikely before June 30, 2014, and that will mean an extra fiscal year impact. He noted the five areas of discussion planned for Monday are common with all three withdrawing towns.

Richard asked when an election might be, given the deadline extension to January 6, 2013. Gary said the state sets the election date. He said the hope was that all three communities (Ellsworth, Hancock, and Lamoine) would vote on the same date, but each town has its' municipal election at a different time. He said the election is unlikely to fall on a gubernatorial election date, and the Commissioner of Education will not set a vote date until the withdrawal agreement is accepted by the RSU. He said the state is not interested in seeing any version until such time as an agreement is finalized.

Mr. Jones said it has not been easy dealing with the RSU. Gary said they still need an agreement with a high school to accept Lamoine's students, and it cannot be Ellsworth High School because there is no separate board for that school which is still owned by RSU 24. Mr. Jones said the RSU is unwilling to make a commitment for Ellsworth High because Ellsworth is also going through the withdrawal process and RSU 24 may no longer have control of EHS. Gary said the only school Lamoine could contract with would be MDI High School. Richard asked if that would be more costly than Ellsworth. Mr. Jones said it would, but the increased debt service surcharge is tapering off.

Gary said State Representative Malaby intends to submit a bill to the Legislature to change the final withdrawal vote turnout requirement to a simple majority without a minimum turnout based on the previous gubernatorial election.

Town Meeting Timing – The Board felt the discussion should wait until Cynthia was present.

Returnables Request – Jo moved to award the proceeds from returnable to the Lamoine PATRONS for February 2013. Gary 2nd. **Vote in favor was 3-0.**

Tabulator – Stu reported the tabulation machine had arrived at the town hall and is under lock and key and stored in the vault. He said training would take place a week from Friday in Holden, so the town office would be closed then.

Vault Shelving – Selectmen reviewed a proposal from Donnegan Systems for movable shelving in the vault. Jo said she'd be interested in getting a cost estimate. There was no objection.

RSU 24 Deed – Stu reported that a letter from RSU 24 requested an official deed to the school property so that a large grant for energy retrofitting could proceed. He said state law requires that if the RSU requests a deed, the town has to give one. Richard said an attorney will likely have to draw it up. Mr. Jones said there is a problem in that if the fire department is pulled out, it creates a non-conforming lot, which would need a variance. A short discussion followed.

Stu said he concern was who pays the attorney to draw up the deed. Mr. Jones said he's not opposed to giving the deed to the RSU, but they are up against a time limit. Stu said he would call Mr. Bridgham on Monday, and place the matter on the Planning Board agenda with the goal of granting a variance by the Appeals Board. A brief discussion followed.

Next Meeting – Jo noted the next meetings are scheduled for November 1 and November 15.

Executive Session – Jo moved to enter executive session pursuant to 1MRSA §405(6)(A) to interview a candidate for the Cable TV Operations Manager job and to discuss a personnel matter. Gary 2nd. **Vote in favor was 3-0 at 7:38 PM. Out at 7:58 PM.**

Cable TV Operations Manager – Jo moved to appoint Kendall Davis as the Cable TV Operations Manager. Gary 2nd. **Vote in favor was 3-0.**

There being no further business, the meeting adjourned at 7:59 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen